

# Order

Michigan Supreme Court  
Lansing, Michigan

December 28, 2005

Clifford W. Taylor,  
Chief Justice

125790-92

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

46<sup>TH</sup> CIRCUIT TRIAL COURT,  
Plaintiff, Counter-Defendant,  
Third-Party Defendant-Appellee,

v

SC: 125790-92  
COA: 246823, 248593, 251390  
Crawford CC: 02-005951-CZ

CRAWFORD COUNTY and CRAWFORD  
COUNTY BOARD OF COMMISSIONERS,  
Defendants, Counter-Plaintiffs,  
Third-Party Plaintiffs  
Cross-Defendants,

and

KALKASKA COUNTY,  
Intervening Defendant,  
Counter-Plaintiff, Third-Party  
Plaintiff, Cross-Defendant-Appellant,

and

OTSEGO COUNTY,  
Third-Party Defendant,  
Cross-Plaintiff-Appellee.

---

By order of October 1, 2004, the application for leave to appeal was held in abeyance pending the decision by the Court of Appeals in *46<sup>th</sup> Circuit Trial Court v Crawford County* (Docket Nos. 254179, 254181, 256129, and 257234), and *Crawford County v Otsego County* (Docket Nos. 254180, 254182).

On order of the Court, the opinion having been issued on May 3, 2005, 266 Mich App 150 (2005), the application is again considered, and it now appearing to this Court that the case of *46<sup>th</sup> Circuit Trial Court v Crawford County* (Docket No. 128878) is pending on appeal before this Court and that the decision in that case may resolve an issue raised in the present application for leave to appeal, we ORDER that the application be held in ABEYANCE pending the decision in that case.



d1220

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 28, 2005

*Corbin R. Davis*

Clerk